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**Ultra Wideband Wireless Solutions**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

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November 29, 2001

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FCC MAIL ROOM

RE: Ex Parte Presentation, ET Docket 98-153

Dear Ms. Salas:

For some time now, it has been openly speculated within our industry and in significant public media that a ruling on Ultra Wideband technologies could be expected towards the end of this year. We now find ourselves with the next and final Open Meeting of the FCC scheduled for December 12. Please allow us to speak to the economic and innovative importance of insuring a favorable ruling is issued that moves this forward.

Our Company - and several others working in the Ultra Wideband field - is venture capital funded. There currently does not exist any commercial outlet or opportunity for our technology, nor will there exist one in the United States without FCC approval. UWB technologies aside, we all find ourselves trying to raise venture capital in an extremely risk-adverse economy. Even startup UWB divisions within highly financed public companies are increasingly responsible in this hard economy for showing promise and mitigating corporate risk. This becomes untenable when you can't answer the question of whether or not any innovation and the expense associated therewith will have a market.

In our own experience, we have exposed our company to dozens of Institutional and Corporate funding sources. While the management, technical team and intellectual property base of our respective UWB companies are strong, in every instance the dominant funding obstacles we face boil down to two issues; foremost is the lack of regulatory approval, and second is the lack of "customer traction", which is not possible to develop when you can't commercially market your technology.

We are quite comfortable upon having assessed the slate of Venture backed UWB companies such as ours with making the observation that not one UWB company has been successful in raising venture capital unquestionably needed to survive within the last several months - and we all have ongoing significant expenses to bear within the pool of capital resources that remains available. Here are the predictable implications we see:

1. Pulse~LINK and other UWB companies may be unable to remain capitalized and subsequently go out of business.
2. The vast body of intellectual property that resides in the heads of literally dozens of highly skilled engineers may disappear, as those engineers might be unable to find jobs in other UWB companies for the very same reasons as our own economic failure.

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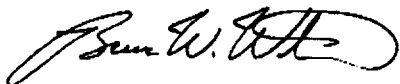
3. Dozens of collective pending patents in the UWB field may vanish, as the capital required to prosecute them through final issuance, both in the U.S. and abroad, may not be available.
4. The benefit of years and tens of millions of dollars of collective venture backed research and development by several UWB companies may have vanished, quite possibly irretrievably.
5. Ongoing UWB innovation, which the United States currently has a strong dominant lead in, may move offshore and allow other countries to take the lead due to the failure of US companies to be able to survive and our country may again be relegated to being a follower in a truly important new technology that can not be forever constrained.
6. It could predictably be a minimum three years before any chance of a new UWB industry can be reborn in the US, because the collective potential failure of so many UWB companies may cast a "dot com" like image on the technology within the venture communities that represent the only real source of research and development capital for endeavors such as ours. We already experience this within the venture community because of the failure within the last six months of Fantasma Networks, which we acquired, to gain new venture capital. Their failure to raise this capital was highly attributable to the lack of regulatory approval.

The agencies that might be suggesting that "ongoing review" should continue for a few more months unfortunately don't have the corporate perspective of what it takes to keep a private, venture-backed endeavor alive. While from their perspective a "few months" might not seem like a long time, from our perspective it could mean life and death. We are at the end of the year, the end of the period during which a ruling has been anticipated for a long time and in an economy that will not continue to tolerate our ongoing regulatory risk. The clock is running out, so is the money, and the ruling is needed now.

We don't make this statement lightly. A few months can literally mean that this exciting new technology may become approved at a point in time when more than half of the collective intellectual property and capital investment poised to deliver the positive benefits promised by UWB shall have vanished due to looming economic failure.

The conditions for non-interference have been reviewed. Respective opinions are on the table. There really is no more time. Please move forward. Thank you.

Sincerely,



Bruce W. Watkins  
President and Chief Operating Officer

Cc: Chairman Michael Powell  
Commissioner Kathleen Q. Abernathy  
Commissioner Michael J. Copps  
Commissioner Kevin J. Martin  
Bruce Franca, Acting Chief, OET  
Julius Knapp, Deputy Chief, OET  
Rebecca Dorch, Deputy Chief, OET  
Dr. Michael Marcus, Associate Chief of Technology, OET  
Lisa Gaisford, Chief of Staff, OET  
Karen E. Rackley, Chief, Technical Rules Branch, OET  
John A. Reed, Senior Engineer, Technical Rules Branch, OET

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